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MR: MSCANLON

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SUBJECT: SIERRA LEONE SPECIAL COURT PROSECUTOR UPDATES  
MANAGEMENT COMMITTEE

¶1. (U) Summary. The Prosecutor for the Special Court for Sierra Leone, Stephen Rapp, provided the Management Committee with an update on the Charles Taylor case and other matters on February 4. End summary.

¶2. (U) On January 30, the Prosecution concluded the presentation of its evidence in the Charles Taylor case after hearing its 91st witness. The case went very well, in Rapp's view, demonstrating that it is possible to try a chief of state in a fair, transparent and efficient proceeding that meets the highest standards of justice. Rapp is hoping that Trial Chamber 2 will decide all pending motions during the week of February 9 so that the Prosecution can formally close its case. Rapp hopes that the Defendant will begin his case in April, but understands that he might ask for more time and that Charles Taylor plans to testify. Rapp said that he will try to make the cross-examination as succinct as possible.

¶3. (U) On the budget, Rapp said that the shifting of milestones due to delays in cases necessarily results in increases to the budget. He and the Registrar are working to reduce the increases, but there are some costs that are unavoidable.

¶4. (SBU) Rapp said that he continues to try to establish that Johnny Paul Koroma - one of the principal alleged war crimes fugitives - is in fact dead. Rapp journeyed to a site where a witness allegedly observed Koroma's murder, and retrieved bones for DNA analysis. The FBI is prepared to assist with advanced DNA testing, but there have been some doubts expressed by European experts, in that the bone fragments appear to come from a man much younger than Koroma. Rapp will not dismiss the Koroma indictment unless it is clearly established that he is dead, as there are rumors in Sierra Leone, that Koroma, who had "nine lives," is still alive. If it is not determined that Koroma is dead, then it will need to be decided how to handle this issue after the Special Court for Sierra Leone ceases its operations, either through a "residual mechanism" or through transfer to a national court willing to take jurisdiction.

Upcoming Trip to The Hague and Freetown

¶5. (SBU) The Sierra Leone representative requested that U.N. Under Secretary-General Patricia O'Brien participate in the Management Committee meeting in Freetown with the Government of Sierra Leone, which apparently will include the Vice President of Sierra Leone. The Chair of the Management Committee made it clear that there will be no decisions taken on residual or any other issues on the Freetown trip, and that there will only be preliminary discussions of residual issues.  
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